

REMARKS:

Applicant includes a Replacement Sheet of drawings including Fig. 2 pursuant to Examiner's request.

Applicant has cancelled claims 1, 4, 9, 10, 14 and 19 without disclaimer or prejudice to later prosecution.

The indication of allowability of claims 6, 7, 11, 17 and 20 is acknowledged with appreciation; responsively, each has been written into independent format for allowance. Claims 2, 3, 5, 8, 12, 13, 15, 16 and 18 have been amended to respectively depend from these claims and are therefore also allowable.

New claims 21-27 are presented in this paper. In claim 21, it is expressly recited that "a computer control unit operatively coupled between the control input, a parking brake of the vehicle and a gearbox of the vehicle" is used for "detecting maneuvering of a control input arranged in a cabin of a load-carrying vehicle," as well as for "activating a parking brake of the vehicle" and "causing a gearbox of the load-carrying vehicle to assume a neutral position." These features are not disclosed, taught or suggested in any reference of record, nor any appropriate combination thereof.

Referring to Kuritani et al. JP 61046723, this Japanese-language document has been cited by the Office only for the proposition that it "discloses a dump truck having a dump control lever on a panel in the cabin of the truck adjacent the steering wheel." In all other respects, Palmer '148 has been relied upon in the rejections of the claims.

Turning to new claim 21, Palmer '148 does not disclose a computer control unit, much less one operatively arranged as Applicant has recited. It is respectfully asserted that the control valves 32, 42 of Palmer '148 that have been cited by Examiner do not anticipate these features, nor do they render them obvious.

Furthermore, Palmer '148 specifically teaches away from applying the parking brake in similar situations. More specifically, in the Background at column 1, lines 47-53 it is stated that "the parking brake is normally designed to hold the static load of the vehicle rather than the relatively larger loads imposed on the vehicle by winching the log bunches to their skidding positions. As a result of such an unintended use, the parking brake's life was often adversely

affected." In contrast, with respect to the invention of Palmer '148, it is stated at column 4, lines 11-14 that "[b]y making it more convenient for the operator to apply the drive line service brake 40, the life of the parking brake 44 will be prolonged since the parking brake will no longer be used to brake the vehicle during winching," which is clearly opposite to the claim recitations of Applicant's claim 21.

For these reasons, it is respectfully asserted that claim 21 is also allowable in view of the art of record and that claims 22-27 are allowable at least for the same reasons, as well as based on the additional limitations recited therein.

Responding to the Office's position in paragraph 8 of the Action, Applicant appreciates that a motivation for combination can come from the knowledge of one of ordinary skill in the art, but that does not relieve the Office from articulating what that motivation is; a step the Office has not yet fulfilled.

In view of the above, Applicant respectfully requests that the finality of the present Action be withdrawn and that all claims presently pending be examined and allowed.

Should Examiner hold a differing position, it is respectfully requested that the undersigned be contacted so that measures can be taken to hasten the application to allowance.

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, Order No. 00173.0023.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Tracy W. Druce". The signature is fluid and cursive, with the first name "Tracy" and last name "Druce" clearly distinguishable.

Tracy W. Druce
Patent Attorney
Reg. No. 35,493
Tel. 713.571.3400